

REMARKS

This Amendment is made in response to the Official Action of May 14, 2010. Upon entry of this amendment, claims 1-4 and 10-18 are pending in this application.

Applicant acknowledges and appreciates the Examiner's indication of allowable subject matter with respect to claims 9 and 10. Claims 5-9 has been cancelled and claim 1 has been amended to include the subject matter of cancelled claims 5-9. Claims 1-4 and 10-18 have also been amended to provide proper antecedent basis. No new matter has been added.

As suggested by the Examiner, the Specification has been amended to correct typographical errors.

35 U.S.C. § 112 Claim Rejection

Claims 1-18 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. In particular, the Action claims that the terms "brush head" (claim 1, line 15; claim 18, line 15); "drive shaft" (claim 2, line 3; claim 3, line 4; claim 12, line 4; claim 13, lines 2-3; claim 15, line 2); "composite region" (claim 9, line 2); "longitudinal direction" (claim 10, line 3); "shell" (claim 14, line 2); and "oral hygiene part" (claim 18, line 5) lack antecedent basis. In addition, the Action asserts that claim 18 is indefinite because "it is unclear as to whether the head part is positively claimed."

Although Applicant does not necessarily agree with these rejections, in an effort to advance prosecution, the claims have been amended in a manner which Applicant believes render this rejection moot. "Brush head" has been replaced throughout the claims with "head part" which has antecedent basis. "Composite region" in claim 9 has been given antecedent basis in amended claim 1 which incorporates cancelled claim 9. Claim 1 has also been amended to provide proper antecedent basis for the phrase "longitudinal direction" recited in claim 10. "Shell" in claim 14 has been replaced with "second part" which has antecedent basis. "Oral hygiene part" in claim 18 has been give proper antecedent basis. Additionally, claim 18 has been amended to more clearly indicate that the head part is not a required element of the claim.

Accordingly, for at least these reasons, Applicant respectfully requests withdrawal and reconsideration of the indefiniteness rejections.

35 U.S.C. § 102(b) Claim Rejections

Claims 1-8, 11-16 and 18 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated over U.S. Patent No. 3,939,599. Claims 1-4 and 16-18 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated over WO 98/01083. Although Applicant does not necessarily agree with these rejections, Applicant has amended independent claims 1 and 18 to include the allowable subject matter of claim 9.

Accordingly, Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. § 102.

Conclusion

In view of the foregoing, favorable reconsideration of Claims 1-4 and 10-18 and an indication of allowability of all pending claims is requested respectfully. Should the Examiner have any questions or wish to discuss any aspect of this case, the Examiner is encouraged to call the undersigned attorney at the number below.

Respectfully submitted,

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